

**Twelfth Judicial District
Supreme Court, Bronx County - Civil Term
I. A. S. PART 2 RULES**

Presiding Justice: Elizabeth A. Taylor

**Courtroom: 710
Trial/Motion Support: 217**

**Courtroom Telephone Number: (718) 618-1275
Clerk's Office Telephone Number: (718) 618-1310**

Unless otherwise directed by Judge Taylor, the following is a general list of rules for I. A. S. Part 2.

I. A. S. Part 2 is a “**calendar call**,” not a “check-in” part. Accordingly, there are no “default times.”

****THE PARTIES ARE REQUIRED TO KNOW WHETHER THE CALENDAR WILL BE IN PERSON OR VIRTUAL. IF THE CALENDAR IS VIRTUAL, THE PARTIES ARE REQUIRED TO OBTAIN AN INVITATION LINK TO THE VIRTUAL COURTROOM.**

1. APPEARANCES GENERALLY

- a. Unless directed otherwise, counsel and *pro se* litigants are directed to appear at 10:00 a.m. for all calendar calls and at the scheduled times for all trials, hearings, and conferences. Note: times may differ for virtual appearances. **To avoid a possible default, the parties shall be aware of how they must appear (virtually or in person).**
- b. Only counsel or self-represented litigants who are fully familiar with a case and authorized to enter into binding agreements on all aspects of the case are to appear at calendar calls and conferences. Failure to comply may result in a default order against the offending party.
- c. Minor children are not permitted in the actual or virtual courtroom without the permission of the judge.
- d. **Virtual Courtroom:**
To avoid being held in default, the parties shall wait in the virtual lobby for the Clerk to admit them to the virtual courtroom. From the virtual courtroom, the Clerk will admit the parties to the virtual bench when their case is called.

In the virtual courtroom, the parties are to conduct themselves in the same manner required in the actual courtroom or they will be removed from the session and held in default. **Unless express permission is given by Judge Taylor**, all people in the virtual courtroom **MUST** turn on their video or they may be removed from the session and/or held in default.
- e. Failure to appear at the call of any calendar may result in a default and a ruling pursuant to 22 NY ADC 202.27. Similarly, failure to appear at a calendar call may result in the offending party's papers not being considered.
- f. Photography or audio/video recording, transmission or broadcasting, of any sort, in the actual or virtual courtrooms, or during any application/communication before Judge Taylor, is **strictly prohibited**. Failure to comply may result in removal from the courtroom and/or sanctions against the offending party, including a finding of contempt.

- g. **EBT Rulings.** All requests for EBT rulings on actions assigned to Justice Taylor must be made to this Part. Only if Justice Taylor is unavailable shall the request be made before the ex-parte justice. The parties are strictly prohibited from recording any applications, including EBT ruling applications, made before Justice Taylor. Note: it is a violation of court procedure for non UCS Court Reporters to record/transcribe applications before Justice Taylor. Failure to comply will result in a negative ruling against the offending party, including a possible finding of contempt.
- h. **Appearance Calendars.** All scheduled appearance calendars, including the **Order to Show Cause - T.R.O.; Order to Show Cause (OSC); Disclosure Motion; Conference; Disclosure: Compliance Conference; Disclosure: Status Conference; Pre Trial; Hearing; Inquest; Infant Compromise Status; Settlement and Trial** calendars are firm and stipulations of adjournment of appearances, without Judge Taylor's approval, will not be honored. Failure to appear on a calendar, without express permission that the appearance is excused, will more than likely result in a negative ruling against the offending party. To reduce the time spent at an appearance and avoid the possibility of having to return in the afternoon or the next business day to complete the appearance, confer with opposing counsel to make a good faith effort to resolve or narrow the issues prior to the calendar call. See 22 NY ADC 130-1.1.

2. **ALL SUBMISSIONS**

- a. No motion shall be filed without an affirmation that counsel has conferred with counsel for the opposing party in a good faith effort to resolve the issues raised by the motion. Also see 22 NY ADC 202.7(a).
- b. The movant shall specify, in the notice of motion, notice of petition and order to show cause (OSC), the **exact relief sought and the authority for the requested relief**. See also 22 NY ADC 202.8-a; CPLR 2214(a).
- c. **Caption.** Each paper filed shall begin with a caption setting forth the name of the court, the venue, the title of the caption, the nature of the paper and the index number of the action if one has been assigned. See also CPLR 2101(c).
- d. **Represented parties.** Each paper served or filed, including orders to show cause (OsSC) and motion papers, must contain the **attorney's name, firm's name and mailing address, direct telephone number, fax number, and email address**. See also CPLR 2101(d).
- e. **If a party is not represented by an attorney**, the party must include **his/her/their name, telephone number, mailing address, and email address** on each paper served or filed, including all applications and motion papers. See CPLR 2101(d).
- f. If oral argument is requested, the requesting party shall indicate "Oral Argument Requested" on the first page of their motion/opposition papers, in the top right corner, under the nature of the paper/title of the document (e.g., Notice of Motion, Affirmation in Opposition), and follow-up with the court to learn whether oral argument will be held. The court will determine, on a case-by-case basis, whether there will be oral argument. **Note: regardless of oral argument, the court will decide the motion solely on the papers submitted.**

- g. To avoid any unnecessary delay, 1) the Word/WordPerfect format of ALL proposed orders, including orders to show cause, subpoenas and infant's compromise orders, shall be emailed to bronx-scet@nycourts.gov by the time the respective application is filed/submitted; and 2) the subject matter of the email shall include the index number, short caption, and motion sequence number or type of order. For example, "12345/25E Smith v Charm (Seq. #2)" or "37923/25E Rausch v Bent (ICO)."
- h. Any e-filed documents the litigants would like the court to consider shall be separately bound, in accordance with paragraph 3, and bear the New York State Courts Electronic Filing (NYSCEF) Confirmation Notice on the back page, facing out.
- i. For in person appearances on the Order to Show Cause and the Disclosure Motion calendars, if the parties DO NOT withdraw or resolve the motions, the parties shall submit their hard copies of the motion papers to Judge Taylor when the application is being heard.
- j. **Submit Calendar.** Except for paragraph 2(i) and certain papers that the Motion Support Clerk are still processing, paper copies of e-filed applications/motion papers shall be brought to Motion Support (room 217) for Justice Taylor or mailed to Justice Elizabeth A. Taylor at 851 Grand Concourse, Bronx, N.Y. 10451. The hard copies **shall be received by the return date** of the motion/order to show cause/application. **The parties are responsible for following up to make sure their papers are received.**
- k. **On all hard copies of applications/motion papers submitted, within the attorney's affirmation or pro-se affidavit, counsel/the pro-se litigant shall affirm whether the papers mailed, or submitted at an appearance/a calendar call, are an exact duplicate of the papers filed.**
- l. **TO GUARANTEE THAT ALL PAPERS ARE CONSIDERED ON AN E-FILED MOTION/APPLICATION, E-FILERS SHALL ENSURE THAT ALL PAPERS ARE FILED WITHIN THE RESPECTIVE MOTION SEQUENCE NUMBER FOLDER ON NYSCEF.**
- m. Failure to comply with these requirements may result in the denial of the motion/order to show cause/application or rejection of the offending submission.

3. **MOTION PRACTICE**

- a. Any motions not properly before this court, including those branches contained within motions properly before this court, will be denied as they are before the court in error.
- b. Unless express permission is given by Judge Taylor, **DO NOT email or fax applications/motion papers, as they will not be considered.**
- c. **To avoid decisions that may not be vacated by this court, the litigants shall advise chambers of pending motions/applications where the parties are trying to settle, the action is stayed or where the matter has been resolved or rendered moot, and the motion/application should be withdrawn. The parties shall immediately advise the court if a party has died or filed a bankruptcy petition. Failure to do so may result in sanctions against the offending party(ies).** See also 22 NY ADC 202.28 and paragraph 19.
- d. If represented by counsel, each motion/application, opposition and response papers submitted **shall include** an attorney's affirmation in support of/against the

motion/application. For example, **Affirmation in Support of**, **Affirmation in Opposition** to, and **Reply Affirmation**.

- e. **An attorney's affirmation must indicate:** 1) the firm that the attorney is a member or associate of; 2) which party(ies) the firm represents; and 3) what the affirmation is in support of (motion, opposition, etc.).
- f. **"An attorney's affirmation fulfills five purposes in summarizing counsel's legal position. It**
 - (1) Describes the action;
 - (2) Sets forth the litigation facts of which the attorney has personal knowledge, such as the fact that a notice of appearance and demand for the complaint were served;
 - (3) Acts as a road map to the party's motion or opposition to the motion, summarizing the supporting papers and referring to them as appropriate - for example, 'as more fully set forth in the annexed affidavit of John Smith, he first acquired knowledge of the alleged defect in the goods on June 15, 1991;'
 - (4) Acts as a conduit for getting litigation documents before the court, such as pleadings or deposition [transcripts]; and
 - (5) Describes the relief requested and explains why it is needed" (2PT1 West's McKinney's Forms Civil Practice Law and Rules § 5:18[d]).
- g. **Sur-replies**/further affirmations will **not** be considered unless specifically requested by Judge Taylor.
- h. **Motions Generally.** The moving party **shall include**, within the motion, copies of all pleadings, all orders dismissing the action against a party and adding a party, and any notices/stipulations of discontinuance. **All affirmations/affidavits shall be paginated with the page number and total number of pages included on each page. For example, 1 of 3, 2 of 3, 3 of 3, and so on.** See also 22 NY ADC 202.8-a.
- i. **Statements of Material Facts. ALL motions and oppositions** must be accompanied by an attorney's affirmation (an affidavit, if the party is *pro se*) with numbered paragraphs of alleged **undisputed and disputed material facts**. The numbered paragraphs in the moving party's affirmation/affidavit of material facts will be **deemed admitted** unless specifically controverted by a corresponding numbered paragraph in the opposing party's affirmation/affidavit of material facts. Each material fact must be followed by citation to evidence submitted in support of, or in opposition to, the motion.
- j. **Signatures on affirmations/affidavits/documents must be handwritten.** Electronic signatures are accepted. However, electronic signatures on affirmations/affidavits/documents will not be accepted unless they are notarized or accompanied by an affirmation/affidavit of the author with a handwritten signature, verifying that the electronic signature is the author's electronic signature. Unsigned affirmations/affidavits/documents will not be accepted. **Documents will not be accepted/admitted if they have signatures on pages without identifiable content or on blank pages.**
- k. **Memorandum of law** is **solely** used to educate the court on the law and is not part of the record (*see Petralia v New York State Dept. of Labor*, 191 AD3d 1466 [4th Dept 2021], *rearg denied*, 193 AD3d 1442 [4th Dept 2021], and *appeal dismissed*, 37 NY3d 1036

[2021], *reconsideration denied*, 37 NY3d 1138 [2022]).

- l. **To avoid denial of applications/rejection of papers**, Affirmations in Support of or Affirmations in Opposition to motions **shall be no more than 10 pages** and Reply Affirmations **shall be no more than five pages**. Parties may submit memoranda of law. However, memoranda of law shall be filed as separate documents and not as exhibits to motion papers. **Submissions of memoranda of law as exhibits to motion papers or in lieu of motion papers (Motion, Affirmation in Opposition, or Reply) may result in the submissions not being considered.**
- m. **To avoid unnecessary delays**, when submitting proposed orders or judgments for signature, **do not attach them as exhibits** to the motion papers. **Proposed orders or judgments incorporated within motion papers will not be reviewed for adoption.** Also see ¶ 2(g).
- n. **All text shall be in Arial or Times New Roman and 12 pitch fonts. No papers shall be double-sided. All paragraphs shall be numbered, and all pages are to be paginated with the page number and total number of pages included on each page. For example, 1 of 3, 2 of 3, 3 of 3, and so on.**
- o. **All text (including exhibits) shall be legible and viewable without having to remove staples or bindings.**
- p. **Each exhibit is to be preceded by a letter or number exhibit tab that protrudes from the stack of paper.**
- q. **All submissions are to be securely bound, to prevent the papers from separating from each other and becoming lost. This may require subdivision of the papers, and the divisions shall be labeled in sequence order. For example, “Notice of Motion Exhibits - packet 1 of 2,” “Notice of Motion Exhibits - packet 2 of 2,” and so on.**
- r. **The court will view/consider USBs, CDs, etc. on submitted motions only if the moving party contacts Judge Taylor’s staff to arrange a Microsoft Teams conference, with all counsel, where the requesting party will display the contents of the video. The parties will have two days of the viewing to file and submit a stipulation or affirmation describing what was viewed at the conference.**
- s. **Exhibits:**
 1. **Excluding pleadings, if an exhibit is more than five pages, counsel/pro se litigants shall highlight the relevant sections of the exhibit in support of his/her/their argument(s) and reference them in his/her/their affirmation/affidavit. Failure to comply may result in the exhibit not being reviewed.**
 2. **Each page of a transcript shall be on 8 ½” x 11” paper (fit font to fill the entire page).**
- t. **Until Motion Support resumes** with the collection and processing of all motion/application papers, refer to paragraph 2(j).
- u. **Motions for Summary Judgment.** All motions for summary judgment must be **served on all parties and filed within 120 days** of the filing of the Note of Issue. Only Judge Taylor can grant an extension of time to file the note of issue or to file summary judgment motions, in actions assigned to this Part. To avoid delay or denial under this paragraph, if an extension of time to serve and file a summary judgment motion has been granted, the

attorney's affirmation/*pro se* litigant's affidavit must clearly reflect such extension date and a copy of said order granting the extension must be attached to the motion.

- v. **Motions to Reargue/Renew:** Motions to reargue or renew must include one exhibit with subdivisions of all papers submitted on the underlying motion and a copy of the court's underlying decision. To avoid missing deadlines to appeal, be sure to make the motion before the correct justice. For example, movant should indicate on the right side of the caption on the Notice of Motion page, under the index number, language such as "Refer Reargue/Renew Motion to Justice X," and immediately follow-up to make sure that the motion is before the correct justice.
- w. **Motions for Leave to Amend Pleadings:** On any motion/application to amend, supplement or correct pleadings, the affirmation in support of the application shall include how the proposed caption should read, and note all previous amendments, discontinuances and orders affecting the original caption. **Note: JUDGE TAYLOR'S APPROVAL IS NOT REQUIRED (AND A MOTION IS NOT NECESSARY) IF ALL PARTIES sign a stipulation to amend the caption.** See CPLR 3025(b).
- x. Failure to comply with these requirements may result in sanctions, including the denial of the motion or rejection of the offending submission.

4. **ORDERS TO SHOW CAUSE**

- a. **Generally, all motions shall be brought by notice of motion/petition, unless directed by statute or ordinance. Only motions that are authorized by law, or Judge Taylor permits, will be heard by Order to Show Cause. Tip:** to avoid a delay in an application being heard, prior to filing a motion, the movant shall determine whether there is authority that permits it to be heard by Order to Show Cause and, if so, **cite the authority in the application.** If there is no authority that permits the application to be heard by Order to Show Cause and the movant would like it to be heard by Order to Show Cause, the movant may contact Judge Taylor's staff to inquire whether Judge Taylor will hear the application by Order to Show Cause or by Notice of Motion/Petition.
- b. **Movants shall email, in the Word/WordPerfect format, all proposed Orders to Show Cause, excluding the supporting papers, to bronx-scet@nycourts.gov as soon as they are filed. Failure to do so may result in a delay of the application being addressed or denial of the OSC.** Also see ¶ 2(g).
- c. The top left side of the first page of the Order to Show Cause, **shall include the movant's counsel's (or movant's, if not represented by counsel) direct telephone number, fax number and email address.** Failure to do so may result in delay, denial or the movant not receiving a courtesy copy of the OSC.

5. **ORDERS TO SHOW CAUSE TO WITHDRAW AS COUNSEL**

- a. When other motions are pending against a client, orders to show cause to be relieved as counsel for that client will generally be denied with leave to re-make (not renew) the motion when no other motions are pending.
- b. Orders to show cause seeking to withdraw as counsel must contain the following decretal clause (not including the instructions in the parenthesis), in bold typeface font. **Judge Taylor will add on a separate page, the return date, time and platform.** To avoid a delay in the OSC being addressed, email the Word/WordPerfect version to bronx-scet@nycourts.gov, as per paragraph 2(g).

ORDERED, that plaintiff/defendant (include the name of the client) **must appear in court, in person/virtually (Judge Taylor will select whether the appearance will be in person or virtual), **on the date, time and at the place indicated below.****

- c. The Order to Show Cause must also incorporate the following text (select the appropriate options) in the body of the Order to Show Cause:

NOTICE TO PLAINTIFF/DEFENDANT (include the name of the client):

YOUR ATTORNEY DOES NOT WANT TO REPRESENT YOU OR IS PRECLUDED FROM REPRESENTING YOU.

THE COURT WANTS TO PROTECT YOUR RIGHTS, AND TO GIVE YOU AN OPPORTUNITY TO RESPOND TO THE STATEMENTS MADE BY YOUR ATTORNEY IN HIS/HER/THEIR AFFIDAVIT WHICH IS ATTACHED TO THIS ORDER.

IN ORDER TO FULLY PROTECT YOUR RIGHTS, YOU MUST APPEAR IN PERSON AT 851 GRAND CONCOURSE, ROOM 710 / IN THE VIRTUAL COURTROOM VIA MICROSOFT TEAMS (Judge Taylor will select whether the appearance will be in person or virtual), ON (leave enough space for the court to insert the return date) AT (leave enough space for the court to insert the time). **AT THAT TIME, YOU MAY OBJECT OR CONSENT TO THE APPLICATION, AND YOU MAY PROVIDE ANY AND ALL INFORMATION WHICH YOU BELIEVE IS IMPORTANT REGARDING THIS APPLICATION.**

IF YOUR ATTORNEY IS PERMITTED AND/OR OBLIGATED TO WITHDRAW FROM YOUR CASE, YOU WILL BE REQUIRED TO FIND A NEW ATTORNEY OR REPRESENT YOURSELF IN CONTINUING TO PROSECUTE YOUR CASE/DEFEND YOURSELF IN THIS ACTION/PROCEEDING.

THE MICROSOFT TEAMS LINK FOR THE VIRTUAL APPEARANCE IS LISTED BELOW (this will be deleted if not applicable).

YOUR FAILURE TO APPEAR MAY RESULT IN YOUR ATTORNEY BEING RELIEVED AS YOUR COUNSEL AND YOU HAVING TO RETAIN NEW COUNSEL OR REPRESENT YOURSELF IN THIS MATTER WITHIN DAYS OF THE ORDER, RELIEVING YOUR ATTORNEY FROM REPRESENTING YOU, BEING SIGNED.

- d. The notice to the client must be in Arial or Times New Roman type of no less than 12 pitch, bold and uppercase font.
- e. Failure to comply with these requirements may result in the rejection/denial of the motion.

6. **REQUESTS FOR INJUNCTIVE RELIEF**

- a. ***Ex-parte* Temporary Restraining Orders.** Until the Clerk's office (fully) resumes with contacting chambers for TRO appearances on orders to show cause, where *ex-parte* temporary restraining orders (TROs) are requested, movants **shall** contact Judge Taylor's staff, **prior to filing Orders to Show Cause**, to obtain a date, time and Microsoft Teams invitation (to the virtual courtroom) to notify all parties that an Order to Show Cause, with a temporary restraining order, will be filed after they have had an opportunity to appear and contest the TRO application. Prior to the appearance on the TRO application, movants shall serve upon all parties and file proof of said notice of the TRO appearance with the Microsoft Teams invitation. **MOVANTS ARE NOT TO FILE THEIR ORDERS TO SHOW**

CAUSE UNTIL AFTER THE TRO APPEARANCE. Unless Judge Taylor directs otherwise, **all TRO applications will be addressed in the virtual courtroom.** Also see 22 NY ADC 202.8-e.

- b. For applications seeking immediate or preliminary injunctive relief, movants shall attach copies of the Summons and Complaint/Petition commencing the underlying action/proceeding.
- c. Failure to comply may result in the striking of the *ex-parte* TRO application and/or rejection/denial of the motion/application.

7. **ADJOURNMENTS**

- a. **Clerk Adjournment for the Submit Calendar (Judge Taylor’s approval is NOT REQUIRED).** When all parties submit a **stipulation(s) to adjourn a motion prior to the return date or submit date** set forth in the motion, the Clerk, without seeking approval from Judge Taylor, will adjourn the motion for an aggregate period of up to 60 days from the return date in the Notice of Motion.
- b. **Judge Taylor’s Approval is Required for all Other Adjournment Requests.** It is easier and faster to obtain an adjournment if the parties timely file a stipulation to adjourn as per the above (§ 7[a]). If the parties do not timely submit a stipulation of adjournment and timely follow-up with the Clerk for the adjournment as per paragraph 7(a), then all stipulations and requests for adjournments **MUST be approved by Judge Taylor.** Parties seeking an adjournment under this section must file, and submit to chambers, a stipulation from **all** parties to adjourn the motion. If a party is unable to obtain a stipulation from **all** parties, the party(ies)/counsel shall, in a brief letter to Judge Taylor at bronx-scet@nycourts.gov, explain the reason for the request and detail the good faith efforts used to obtain consent for the adjournment. The letter must be filed and served upon all parties. Thereafter, a conference will be scheduled with all parties to address the request. Failure to comply may result in the request being denied. If a party fails to appear for the conference, any objections to the adjournment may be deemed waived.
- c. Beyond the above authorized adjournments by the Motion Support Clerk (paragraph 7[a]), no motion shall be adjourned unless Judge Taylor’s staff has conveyed Judge Taylor’s approval of the adjournment.
- d. **ALL stipulations/requests to adjourn motions/applications shall include a briefing schedule of the papers to be submitted, including a date(s) when the hard copies are to be delivered/mailed as per paragraph 2(j) (for example, “ABC Corp. to file and serve opposition papers by July 5, 2024. DEF Corp. to file and serve reply papers by July 12, 2024. The motion papers are to be received/brought to . . . by July 12, 2024”).**
- e. **Orders to Show Cause/Disclosure Motion Calendars.** Unless Judge Taylor directs otherwise, the Order to Show Cause and Disclosure Motion calendars **are firm**, and **stipulations of adjournment will not be honored unless approved by Judge Taylor.**
- f. **The burden is on the parties to inquire whether their adjournment requests or stipulations of adjournment were approved (see paragraph 19 for communications with chambers).**

- g. **Unless the court notified all parties at an appearance or on a conference call, it is the movant's burden to notify all non-appearing parties of any adjournments in writing and to file proof of service of such notice.**
- h. Failure to comply with these requirements may result in the denial of the request for an adjournment.
- i. At times the court may have to adjourn appearances. If this occurs, the court will reach out to a party or parties to notify them of the adjournment and/or the adjournment will be reflected in the Clerk's calendar.

8. **DECISIONS/ORDERS**

- a. Any **party** wishing to receive a courtesy copy of a decision/order from chambers must submit a postage stamped self-addressed envelope with the motion/application.

9. **DISCLOSURE**

- a. **Preliminary Conference (PC)/Disclosure Orders.** Unless otherwise directed by Judge Taylor, an appearance will not be scheduled at this stage. Instead, a disclosure (PC) order will be issued and include a Compliance Conference date. **Absent extraordinary circumstances, to be determined by Judge Taylor, failure to comply with the disclosure (PC) order will more than likely result in penalties, including waiver of disclosure, preclusion, etc. Failure of one party to comply with the disclosure order DOES NOT excuse another party from complying with the order. Example + Tip:** if party #1 fails to comply with the disclosure schedule as directed in the order and party #2 believes that party #1's failure affects party #2's compliance with future disclosure dates directed in the order, the burden is on party #2 to notify Judge Taylor, by email to bronx-scet@nycourts.gov and contact the Part, immediately after Party #1's noncompliance, why party #2 believes party #1's noncompliance affects party #2's compliance, so that Judge Taylor can make a determination of whether to advance the Compliance Conference and issue sanctions including, a directive that disclosure is waived, preclusion, dismissal, strike pleadings and/or costs and attorneys' fees. The burden is on Party #2 to follow-up to learn whether a conference will be scheduled to address Party #1's delinquency. **UNLESS THERE IS AN ORDER EXTENDING PARTY #2'S TIME TO COMPLY WITH THE DISCLOSURE ORDER, PARTY #2 SHALL COMPLY WITH THE ORDER.**
- b. **Compliance/Status Conferences.** Unless Judge Taylor directs otherwise, Compliance/Status conferences set by the court **are firm** and will be held in person. **Stipulations of adjournment will not be honored unless otherwise directed by Judge Taylor.** Also see ¶ 9(a). At the compliance/status conference, the parties shall be prepared to address all outstanding disclosure. **Failure to address outstanding disclosure will more than likely deem said disclosure waived. Failure to appear at the calendar call (when the case is called) will more than likely result in an order against the offending party, including a waiver of any outstanding disclosure.** If a Note of Issue has been filed and the parties file a stipulation agreeing that disclosure is complete prior to the scheduled compliance/status conference, the parties shall contact Judge Taylor's staff to request that the appearance be canceled.
- c. **Disclosure Motions.** No disclosure motions shall be filed without "an affirmation that counsel has conferred with counsel for the opposing party in a good faith effort to resolve the issue(s) raised by the motion" (22 NY ADC 202.7[a]). Conclusory affirmations will not be accepted. If, after making a good faith effort to resolve any disclosure dispute(s),

intervention of the court is necessary, the parties shall file and email Judge Taylor, at bronx-scet@nycourts.gov, a letter, including a brief description of the issue(s), the good faith efforts to resolve the issues, and requesting a conference to address the disclosure issues and for Judge Taylor to determine whether a good faith effort was made to resolve the issues. Also see 22 NY ADC 130-1.1. The parties are to follow up to learn whether a conference will be scheduled or whether Judge Taylor, based upon the status of the case, will allow them to make the motion without a conference (see ¶ 19).

1. Disclosure motions properly submitted by Notice of Motion (**disclosure motions will not be heard by OSC**) may be administratively adjourned to the Disclosure Motion calendar and **stipulations of adjournment will not be honored unless otherwise directed by Judge Taylor**. At this calendar, **the parties shall be prepared to address all outstanding disclosure**. Failure to address all outstanding disclosure will more than likely deem said disclosure waived. Failure to appear at the calendar call (when the case is called) will more than likely result in an order against the offending party, including a waiver of any outstanding disclosure. If the parties do not resolve the motion(s) and the motion(s) are marked “submitted,” then the parties are to submit working copies of their motion papers, as per paragraph 2(i) and the Part Rules, prior to the end of the appearance.
2. Failure to comply will generally result in the denial of the motion and sanctions will be considered against the offending party(ies).

- d. **Requests for Disclosure or Pre Trial Conferences**. Any requests for disclosure or pre trial conferences shall be emailed to bronx-scet@nycourts.gov. To avoid delay, **the subject matter of the email shall include the index number, short caption, and type of request**. For example, “**12345/25E Smith v Charm (PC Request)**” or “**37923/25E Rausch v Bent (PT Request)**.” The parties are to follow up to make sure that said conferences are scheduled (see ¶ 19).

10. **PRE TRIAL CONFERENCES**

- a. Unless Judge Taylor directs otherwise, **Pre Trial conference dates are firm**, will be held in person, and **stipulations of adjournment will not be honored unless specifically approved by Judge Taylor**. Two days prior to the Pre Trial conference, counsel for each party shall email Judge Taylor at bronx-scet@nycourts.gov an *ex-parte* one- or two-page summary of the case from his/her/their client’s perspective, including the relevant facts that gave rise to the claim(s), damages, defenses and any relevant orders that will be significant if the case goes to trial. **Judge Taylor will not share the summary with the opposing counsel/party(ies)**. Generally, there will be only one Pre Trial conference unless the parties demonstrate that they are engaged in good faith settlement negotiations. If the parties are not able to settle the action, Judge Taylor will issue an order, including dates for the parties to exchange trial documents as per paragraph 18(c) and directing the Clerk to transfer the action to TAP.

11. **SETTLEMENT CONFERENCES**

- a. Parties interested in exploring settlement of actions/proceedings, please call and/or email the Part at bronx-scet@nycourts.gov to schedule a settlement conference.

12. **STIPULATIONS**

- a. The court will so-order stipulations only if legally necessary. The court will not so-order stipulations without the signatures of all parties. Also see paragraph 3j.

13. **LITIGANTS' CONTINUING OBLIGATION IN ACTIONS/PROCEEDINGS**

- a. The parties shall immediately email bronx-scet@nycourts.gov and call Judge Taylor's staff to inform Judge Taylor of any actions/proceedings, with pending motions or appearances, that are in the process of settling, or settled, stayed (bankruptcy action, deceased party, etc.), discontinued (partially or completely), etc. See also 22 NY ADC 202.28.

14. **SUBPOENAS**

- a. Applications for subpoenas to be so-ordered must not be *ex-parte* and must be accompanied by an affirmation from the movant, including a brief description of the matter, and identifying whether the subpoena is timely as per the disclosure order(s)/statute, and if not, the reason for the delay. To avoid delay, subpoenas to be so-ordered must comply with paragraphs 2(g) and 3(j).

15. **INFANT'S COMPROMISE APPLICATIONS**

- a. **To avoid unnecessary delay and ensure all required documentation is submitted**, counsel or *pro se* litigants should obtain an Infant's Compromise checklist from the Part **before submission** of a proposed Infant's Compromise Order with application.
- b. Infant compromise applications submitted without the required documentation will delay the process and may eventually be denied without prejudice to make a new application.
- c. **There shall be one proposed Infant's Compromise Order, with supporting papers, per infant.**
- d. If documents are missing or incomplete on a submission, the corrected documents and the previously filed correct documents **MUST** be **re-filed** together, for one complete (amended) application, before the application is reviewed again.
- e. Infant's Compromise hearings will be scheduled after all requested documents are received.
- f. Failure to submit the requested documents may eventually result in the rejection/denial of the application with leave to re-make the application upon submission of the requested documentation.

16. **INTERPRETERS**

- a. Requests for court interpreter services shall immediately be made to the Clerk. Failure to do so may result in the waiver of court interpreter services and/or a witness being precluded from testifying.

17. **INQUESTS AND HEARINGS**

- a. Within two weeks of the inquest or hearing, the party who has the burden of proof on the matter shall email the transcript of the inquest or hearing to bronx-scet@nycourts.gov and speak with Judge Taylor's staff to confirm receipt. Failure to do so, without explanation, may result in a denial of the application with leave to re-make it.

18. **TRIALS**

- a. Trials are ordered under the direction of the assigning justice that the parties and their witnesses are **ready**, with no delay, for trial from the time the case is assigned to this Part through the conclusion of the trial. If the parties are not ready for trial prior to being

assigned, the parties shall inform the assigning justice so that he/she/they may make the appropriate ruling.

- b. Any pre trial issues (except those that the court determines were not reasonably anticipated but timely raised), including motions *in limine*, not raised at the first appearance in the Part, will more than likely be deemed waived.

Bench Trials

- c. By 2:00 p.m. of the day the trial is assigned to the Part, counsel/*pro se* litigants shall provide Judge Taylor with: 1) two business cards/contact information; 2) all pleadings (complaint, answer, bill of particulars, etc.); 3) motions *in limine*; 4) the witness list; 5) proposed pre-trial charges; 6) a **tentative** proposed verdict sheet (subject to change at the charge conference); 7) **tentative** proposed post-trial charges (subject to change at the charge conference); and 8) any copies of discontinuances and relevant orders to the trial of the case, including orders narrowing the trial issues, amending the caption, dismissing the action against parties and orders of preclusion. At the same time, the parties shall inform Judge Taylor of 1) any anticipated scheduling issues; and 2) any special requests, including the use of easels or media equipment. The parties shall notify the Part Clerk, as per paragraph 16(a), if and when a Court Interpreter will be needed.
- d. At least one day prior to a witness testifying, the attorney calling/questioning the witness shall email bronx-scet@nycourts.gov a list of the spelling of technical words/industry terms/medical terms to be used by said witness. The court will provide the list to the Court Reporter.

Jury Trials

- e. In addition to paragraph 18(c) and (d), the following applies to jury trials:
 - 1. The day the trial is assigned to this Part, counsel for each party shall submit to Judge Taylor an *ex-parte* one- or two-page summary of the case from his/her/their client's perspective, including the relevant facts that gave rise to the claim(s), damages, defenses and any facts that will avoid unnecessary delay. **Judge Taylor will not share the summary with the opposing counsel/party(ies).**
 - 2. If a litigant requests a Pattern Jury Instruction (PJI) to be modified, the complete PJI, incorporating the modified language and the authority, must be submitted.

19. COMMUNICATING WITH CHAMBERS

- a. The parties may contact the Part Clerk or Motion/Trial Support to be transferred to chamber staff. **The parties are not to communicate with chambers via NYSCEF or email, unless express permission is given by Judge Taylor or her staff.** Therefore, if litigants want filed communications to be reviewed by the court, they must communicate with chamber staff and arrange to fax or email the communications as per paragraph 19(d).
- b. *Ex-parte* communications with the Part/chambers are prohibited and will not be considered.
- c. **Do not copy Judge Taylor or her staff on correspondence between counsel and/or self-represented parties, as they will not be read.**
- d. Emails and faxes will not be reviewed unless prior authorization is obtained from Judge Taylor's staff, and all parties are copied on the communication. **Authorized emails shall include, in the subject matter of the email, the index number, short caption, and**

motion sequence number, type of order, or request. For example, “12345/25E Smith v Charm (Seq. #2)” or “37923/25E Rausch v Bent (ICO)” or “29563/25E Gentile v ABC Corp. (PT Request).” Counsel/pro se litigants are to call to confirm that their authorized emails and faxes were received. THE SOLE EMAIL ADDRESS TO COMMUNICATE WITH THIS PART IS BRONX-SCET@NYCOURTS.GOV.

- e. Motion papers/applications are not to be faxed or emailed.
- f. Chamber staff may email the parties regarding scheduling, sending courtesy copies of orders in certain circumstances, or making inquiries. However, **the parties shall not initiate communications or expand communications with chambers via email as unauthorized communications will not be considered.**
- g. All litigants represented by counsel **MUST** communicate with the court through their counsel. **Attorneys are to advise their clients not to contact chambers or the Part as the court is not allowed to communicate with parties who are represented by counsel.**
- h. **Counsel shall inform their non-attorney staff that when communicating with chambers or the Part, they shall identify themselves and make clear that they are not attorneys.** Failure to do so may result in non-attorney staff being prohibited from communicating with chambers.

20. **INQUIRIES**

- a. Information on scheduled court appearances may be obtained from the New York Law Journal and eCourts. If there remain questions regarding court appearances after reviewing the New York Law Journal and eCourts, please contact the Part Clerk or the Motion Support Clerk in room 217.
- b. Information on submitted motions/applications may be obtained from eCourts at <https://iapps.courts.state.ny.us/webcivil/FCASMain>. After checking eCourts, inquiries regarding the status of motions/applications submitted may be made to chambers.
- c. Copies of decisions for e-filed documents may be obtained from New York State Courts Electronic Filing (NYSCEF) at <https://iapps.courts.state.ny.us/nyscef/HomePage> or, for non e-filed cases, on the Bronx County Clerk’s website at <http://bronxcountyclerkinfo.com/law/UI/User/Ine.aspx>.

Note: It is incumbent on the litigants to be familiar with the rules of the Part, including any amendments (see *Appleyard v Tigges*, 171 AD3d 534, 536 [1st Dept 2019]).